

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL RAPAPORT and MICHAEL :  
DAVID PRODUCTIONS, INC., :

Plaintiffs, :

Case No. 1:18-CV-08783

-against- :

BARSTOOL SPORTS, INC., ADAM SMITH, :  
KEVIN CLANCY, ERIC NATHAN and :  
DAVID PORTNOY, :

Defendants. :

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING CASE  
DEADLINES AND SETTING FOUR-  
PART BRIEFING SCHEDULE**

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BARSTOOL SPORTS, INC., :

Counterclaimant, :

-against- :

MICHAEL RAPAPORT and MICHAEL :  
DAVID PRODUCTIONS, INC, :

Cross-Defendants. :

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**STIPULATION AND PROPOSED ORDER EXTENDING CASE DEADLINES AND  
SETTING FOUR-PART BRIEFING SCHEDULE**

WHEREAS, in response to the parties' respective pre-motion letters regarding their summary judgment motions dated November 12, 2019, and their responses to those letters dated November 15, 2019, the Court issued an order on November 18, 2019 for the parties to "confer on a four-part briefing schedule agreeable to both sides, in which no more than seventy-five (75) days elapse from the filing of plaintiffs' motion on January 21, 2019, to the filing of defendant's reply";

WHEREAS, the parties previously agreed and stipulated to, and the Court ordered, the following deadlines:

- Deadline to Complete Expert Discovery: 1/17/20
- Deadline to File Dispositive Motions: 1/31/20 (pursuant to Rule 56(b));

WHEREAS, the Court's clerk clarified on a November 21, 2019 call with the parties that the "January 21, 2019" date in the November 18, 2019 order should be treated as January 31, 2020;

WHEREAS, due to the number of expert witnesses designated by the parties, and the number of anticipated rebuttal expert witnesses, the parties require more time to complete expert discovery and file dispositive motions;

WHEREAS, the parties have conferred on a four-part briefing schedule agreeable to both sides and consistent with the 75-day time frame set forth in the Court's November 18, 2019 order;

THE PARTIES AGREE AND STIPULATE that the above-referenced deadlines be extended as follows:

- Deadline to Complete Expert Discovery: 1/27/20
- Deadline to File Dispositive Motions: 2/21/2020 for Plaintiffs (pursuant to Rule 56(b)); 3/23/2020 for Defendants (pursuant to Rule 56(b))

THE PARTIES FURTHER AGREE AND STIPULATE to the following four-part briefing schedule within the 75-day time frame specified by the Court in its November 18, 2019 order:

- Deadline for Plaintiffs to File: <sup>3/2/</sup>2/21/2020 *NRB*
  - Rule 56 Motion
- Deadline for Defendants to File: <sup>4/1/</sup>3/23/2020 *NRB*
  - Opposition to Plaintiffs' Rule 56 Motion
  - Rule 56 Motion
- Deadline for Plaintiffs to File: <sup>5/8/</sup>4/22/2020 *NRB*
  - Opposition to Defendants' Rule 56 Motion
  - Reply to Defendants' Opposition to Rule 56 Motion
- Deadline for Defendants to File: <sup>18</sup>5/6/2020 *NRB*
  - Reply to Plaintiffs' Opposition to Rule 56 Motion

**GREENBERG GLUSKER FIELDS  
CLAMAN & MACHTINGER LLP**

/s/ Aaron J. Moss

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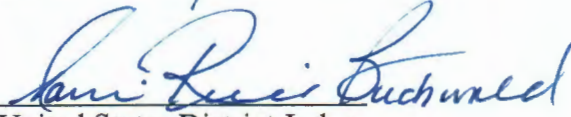
**KING & BALLOW**

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*Attorneys for Plaintiffs*

*as modified*  
**SO ORDERED.**

  
United States District Judge

Dated: December 2, 2019